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April 9, 2020

District Judge Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

USDC SDNY
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DATE FILED: 04/09/2020

Re: 1:20-cv-00493-VEC
Pichardo v. Only What You Need, Inc.

Dear District Judge Caproni:

This office represents the plaintiff. In accordance with your Honor's Individual Practices in Civil Cases, plaintiff requests an adjournment of the conference scheduled for Friday, April 17, 2020 and corresponding pre-conference submissions to be filed no later than Friday, April 10, 2020 and an extension of defendant's time to answer or respond to the complaint from Friday, April 17, 2020 to Friday, May 22, 2020.

There has been one previous request for adjournment of the conference, which was granted. There have been no previous requests for an extension of defendant's time to answer or respond to the complaint. At the time the undersigned requested the prior adjournment of the conference, defendant had not returned the waiver of service. Following that request, I attempted to contact defendant through its website, telephone, email and social media, wherein I identified myself and requested that someone with proper authority contact my office at their earliest convenience. I did not receive a response to these messages.

I had expected a representative of defendant would contact me in mid-March though realize this may have been complicated by the COVID-19 pandemic. Earlier today, I contacted a process server in Delaware, defendant's formation state, and requested defendant's registered agent be served with process. While I believe some process servers in Delaware may still be working and that I will be able to effect service by April 17, 2020, plaintiff requests the opportunity to proceed via a waiver of service to provide defendant or its counsel extra time under the present circumstances.

Thank you for your attention to this matter.

Respectfully submitted,

Due to the curtailment of courthouse operations, the April 17, 2020, initial conference is adjourned to **May 29, 2020, at 10:00 A.M.** Joint pre-conference submissions are due by **May 21, 2020**. If no waiver of service is executed, Plaintiff must file proof of service by **May 1, 2020**, or else show cause why the case should not be dismissed pursuant to Rule 4(m).

SO ORDERED. Date: 04/09/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

/s/Spencer Sheehan
Spencer Sheehan

Certificate of Service

I certify that on April 9, 2020, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant's Counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiff's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan